

Amendments to the Claims

Please amend the claims as follows. The following is a complete listing of the claims that replaces all previous versions.

1. (Currently Amended) A computer-implemented method of ~~monetizing~~ facilitating the monetization of an original a first contract to supply a ~~commodity~~ electricity from a an original supplier to a recipient, comprising:
supplying electricity from a power supplier to the recipient pursuant to electricity supply contracts comprising (i) a first contract between the recipient and a first entity and (ii) a second contract between the first entity and the power supplier, wherein:
receiving by transfer, by a first entity, the first contract obligates the first entity to supply electricity to the recipient and is a revised version of the original contract, revised to provide (a) that the first entity may provide the electricity to the recipient from sources other than specified in the original contract and (b) that the recipient is to pay a fixed price for the electricity under the first contract that is different from a price for the electricity specified in the original contract, wherein the first original contract does not give the original supplier to the right to make make-up deliveries following a period of force majeure; and
revising the first contract such that (a) the first entity may provide the commodity to the recipient from sources other than specified in the first contract, and (b) the recipient is to pay a fixed price for the commodity under the revised first contract that is different from a price for the commodity in the first contract prior to revision;
entering into, by the first entity with a second entity, a the second contract obligates the power supplier to in which the second party agrees to supply the commodity electricity from the second entity power supplier to the first entity [[, wherein the]] at a price of the commodity in the second contract is less than the price of the commodity electricity in the revised first contract; and
offering, using a transaction computer system by the first entity, interest-bearing debt instruments issued from the first entity, wherein the debt instruments have a term

matching the term of the second contract, and wherein ~~the~~ debt service of the debt instruments is financed by the difference between the price for ~~the commodity~~ electricity in the ~~revised~~ first contract and the price for ~~the commodity~~ electricity in the second contract;

~~wherein depositing, using a computerized electronic transfer system, payments by the~~ recipient to the first entity under the ~~revised~~ first contract ~~are deposited in a~~ collections account of the first entity [, and wherein payments by]] ;

~~paying, using the computerized electronic transfer system, payments from the first entity~~ to the ~~second entity~~ power supplier under the second ~~supply~~ contract ~~are paid from~~ the collections account, ~~using a computerized electronic transfer system; and~~ wherein the first entity has a reserve account, separate from the collections account, that is sufficiently funded to make debt service payments on the debt instruments when the first entity is unable to supply ~~the commodity~~ electricity to the recipient because of a force majeure condition for a predetermined time period during the term of the first ~~supply~~ contract.

2. (Currently Amended) The method of claim 1, further comprising guaranteeing, by a third-party guarantor, payment obligations of the first entity to the recipient arising out of the ~~revised~~ first contract, wherein the third-party guarantor's guaranty of the payment obligations of the first entity is capped by a maximum liability limitation amount.

3. (Currently Amended) The method of claim 1, wherein the first entity is owned by the original supplier.

4. (Canceled).

5. (Previously Presented) The method of claim 1, further comprising paying principal and interest on the debt instruments from the first entity to holders of the debt instruments.

6. (Previously Presented) The method of claim 5, wherein a debt service coverage ratio

of the debt instruments is between 1.00 and 1.01.

7. (Canceled).

8. (Original) The method of claim 5, further comprising establishing an administrative services agreement between the first entity and an administrative agent.

9. (Currently Amended) The method of claim ~~[[5]]~~ 2, ~~further comprising establishing wherein~~ the first entity ~~as~~ is a subsidiary of the original supplier.

10. (Currently Amended) The method of claim 9, wherein the ~~second entity~~ power supplier is a subsidiary of the third-party guarantor.

11. (Previously Presented) The method of claim 1, wherein the debt instruments include senior secured notes.

12. (Previously Presented) The method of claim 1, wherein the debt instruments include subordinated notes.

13. (Currently Amended) The method of claim ~~[[1]]~~ 2, ~~further comprising wherein~~ the third-party guarantor ~~guaranteeing~~ guarantees payment obligations of the ~~second entity~~ power supplier to the first entity arising out of the second contract.

14. (Currently Amended) The method of claim 1, wherein ~~revising the first~~ original contract ~~includes revising the first contract~~ is revised such that the ~~revised~~ first contract obligates the recipient to pay a fixed price to the first entity for capacity to supply the ~~commodity~~ electricity and obligates the recipient to pay an index-based price for the ~~commodity~~ electricity.

15-25. (Canceled).

26. (Previously Presented) The method of claim 1, wherein the recipient is a government agency for managing the power procurement for a governmental entity.

27. (Currently Amended) The method of claim 26, further comprising the recipient offering debt securities, wherein the recipient is obligated to pay the first entity for ~~power~~ electricity under the ~~revised~~ first contract prior to servicing the debt securities offered by the recipient.

28-36. (Canceled).

37. (Currently Amended) The method of claim 1, wherein the second contract includes a liquidated damages clause that obligates the ~~second entity~~ power supplier to pay liquidated damages to the first entity under certain specified conditions in the second contract, and further comprising a third-party guarantor guarantying payment obligations of the ~~second entity~~ power supplier under the second contract, including the liquidated damages.

38-66. (Canceled).